United States Department of Energy
Office of Hearings and Appeals

In the Matter of:	Vaughn Thermal Corp.	)		
		)		
Filing Date:	September 3, 2015	)	Case No.:	EXR-14-0003
		)		

Issued: September 10, 2015

Decision and Order

This Decision and Order concerns an Application for Exception filed on November 21, 2014, by the Vaughn Thermal Corporation (Vaughn or the Applicant) seeking exception relief from the applicable provisions of the Energy Conservation Program: Energy Conservation Standards for Residential Water Heaters (Water Heater Efficiency Standards). On April 9, 2015, this Office (OHA) issued a decision denying Vaughn's Application. *Vaughn Thermal Corp.*, OHA Case No. EXC-14-0003 (April 9, 2015) (*Vaughn Exception Decision*).

On May 11, 2015, Vaughn filed a Petition ("Vaughn Petition") with the Federal Energy Regulatory Commission (FERC), seeking review of the *Vaughn Exception Decision*, in accordance with the FERC's regulations. On September 2, 2015, Vaughn, the Department of Energy (DOE), and the intervenors in the FERC proceeding entered into a Stipulation and Notice of Withdrawal of Pleadings (Stipulation and Notice). The Stipulation and Notice specifies mutual actions by Vaughn and DOE that effectively moot the review being conducted in the FERC proceeding. The Stipulation and Notice -- which deems the *Vaughn Petition* withdrawn upon an OHA Order vacating the April 9, 2015, decision -- was approved by the presiding FERC Administrative Law Judge by order dated September 3, 2015.

Accordingly, pursuant to the Stipulation and Notice, it is hereby Ordered that:

The Decision and Order issued by OHA to Vaughn Thermal Corp., on April 9, 2015, *Vaughn Thermal Corp.*, OHA Case No. EXC-14-0003, is hereby vacated.

Poli A. Marmolejos
Director
Office of Hearings and Appeals

Date: September 10, 2015